

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 2/3 August 2007**

**Response to Written Comments for Vintage Production California LLC
Tentative Waste Discharge Requirements**

At a public hearing scheduled for 2/3 August 2007, the Regional Water Quality Control Board, Central Valley Region, (Regional Water Board) will consider adoption of Tentative Waste Discharge Requirements Order (Order) for Vintage Production California LLC (Vintage), Kern Front Oil Field, Kern County. This document contains responses to written comments received from interested parties regarding the TWDRs circulated on 7 June 2007. Written comments from interested parties were required by public notice to be received by the Regional Water Board by 27 June 2007 to receive full consideration. Per request by Vintage, additional time was granted for Vintage to submit comments and Vintage provided comments on 28 June 2007. The following presents a summary of the comments received followed by the response of the Regional Water Board.

VINTAGE PRODUCTION CALIFORNIA LLC (VINTAGE) COMMENTS

VINTAGE – GENERAL COMMENTS: Vintage suggests that Regional Water Board staff did not provide it with adequate opportunity to review the tentative Order and suggests that more opportunity to work with Staff on the permit should occur before adoption to ensure an accurate and complete permit. Vintage requests consideration of the tentative Order be deferred.

RESPONSE: After submittal of the renewal application, Order No. 96-277 was administratively continued in November 2001. Vintage subsequently requested amendments to the application in January 2003, May 2004, and March 2007. The May 2004 and March 2007 amendments requested modifications of discharge flow rates and were each accompanied by a statement indicating all other parameters of the application should remain the same. Also, Regional Water Board staff met with Vintage staff during a site inspection conducted in February 2007. The tentative Order reflects the information provided by Vintage up to that date and was appropriately circulated for public comment with the legally prescribed time to review and comment on the tentative Order.

Staff does not believe deferral is necessary to obtain an accurate and complete Order. The three significant issues identified by Vintage were addressed as follows.

VINTAGE – COMMENT No. 1: Vintage states the tentative Order erroneously indicates that discharge to the ditches occurs only when disposal to Valley Waste Disposal Company (VWDC) is unavailable. Vintage states the ditches are currently utilized on an as-needed, last resort, basis. Vintage subsequently commented that the need for the discharge is in addition to what it conveys to VWDC.

RESPONSE: Vintage's application and amendments do not specify or clarify the intended discharge operations in conjunction with the pipeline to VWDC. A 30 September 2003 letter from Vintage to Regional Water Board staff states that produced water is either injected or conveyed via pipeline to VWDC and use of the channels for discharge occurs

primarily during pipeline repairs or maintenance. The VWDC permit adopted in December 2006 and amended June 2007 describes the Vintage discharge in this manner as well, and were reviewed by Vintage. Nonetheless, and where appropriate, the tentative Order was modified to clarify the discharge options utilized by Vintage.

The exception from Basin Plan oilfield limitations in the proposed Order is based upon the discharge being a diversion of all or part of the produced water conveyed to VWDC. As noted in the response to comment No. 3 below, Vintage itself has not made a satisfactory demonstration for exception. Thus, the alternative is to authorize discharge of the requested 2.75 mgd, but deny the requested exception to the limitations specified in the Basin Plan for oilfield discharges.

VINTAGE – COMMENT No. 2: With respect to the Monitoring and Reporting Program (MRP), Vintage requests annual reporting instead of monthly reporting.

RESPONSE: Annual reporting is too infrequent for the type of facility and discharge and thus is unacceptable. Regional Water Board staff evaluated the historic discharge data, however, and has since modified the tentative MRP to require quarterly reporting instead of monthly reporting.

VINTAGE – COMMENT No. 3: Vintage states that boron levels in the produced water discharge can, at times, exceed 1.0 mg/L. Vintage requests a higher boron limitation to account for peaks of this nature based on the Basin Plan Demonstration study completed by Houghton HydroGeo-Logic, Inc.

RESPONSE: As explained in Section V of the Information Sheet, the study completed by Houghton HydroGeo-Logic, Inc., does not satisfactorily demonstrate that the requested increase of salinity limits are consistent with the Basin Plan and does not demonstrate that the proposed discharge will not adversely affect water quality or cause a violation of water quality objectives. In fact, the study conclusion relies upon salt buildup in the unsaturated zone. Indirect pollution from geologically impeded flow of salt to groundwater is just as irreparable as from direct pollution. Thus, reliance upon temporal storage of salt within the unsaturated zone is not an acceptable demonstration for exception. Further, the Basin Plan salinity limitations for oilfield discharges already considers fluctuations in constituents during production.

Nonetheless, as noted in the determination of appropriate EC discharge specifications, this discharge, including boron, has been accounted for in the CWD study. The discharge specification for boron was modified to a monthly average of 1.5 mg/L. The revised specification for boron is consistent with that previously authorized for the discharge (based on flow-weighted average), but, more significantly, is also consistent with the boron effluent limit prescribed for VWDC.